



DOUGLAS A. DUCEY
GOVERNOR

STATE OF ARIZONA
OFFICE OF THE GOVERNOR

EXECUTIVE OFFICE

May 16, 2018

The Honorable Michele Reagan
Secretary of State
1700 W. Washington, 7th Floor
Phoenix, AZ 85007

Dear Secretary Reagan:


I am transmitting to you the following bills from the Fifty-third Legislature, 2nd Regular Session, which I signed on May 16, 2018:

- HB 2088 pupils; concussions; parental notification (Carter)
- HB 2197 health professionals; workforce data (Carter)
- HB 2209 internet protocol; corporation commission (Grantham)
- HB 2212 firearm possession; peace officers; definition (Thorpe)
- HB 2235 dental therapy; regulation; licensure (Thorpe)
- HB 2253 schools; exchange teachers; employment duration (Carter)
- HB 2307 scrap vehicles; sales (Campbell)
- HB 2310 underground storage tanks; reimbursement claims (Bowers)
- HB 2324 community health workers; voluntary certification (Carter)
- HB 2356 juvenile court; jurisdiction; age (Bowers)
- HB 2383 HOV lanes; emergency vehicles (Clodfelter)
- HB 2384 unlawful flight; vehicle impoundment (Clodfelter)
- HB 2414 state employee health plan; incentives (Kern)
- HB 2416 appropriation; study; prime contracting classification (Cobb)
- HB 2422 personal delivery devices (Townsend)
- HB 2455 commercial vehicles definition; driver licenses (Cook)
- HB 2510 auto dealers; task force; fund (John)

HB 2520 schools; reading requirement (Coleman)
HB 2522 traffic violations; penalties (Syms)
HB 2526 career technical education districts (Clodfelter)
HB 2527 ticket surcharge; public safety equipment (Clodfelter)
HB 2529 assisted living; referrals; disclosure (Campbell)
HB 2532 occupational regulation; municipalities; counties; hearings (Payne)
HB 2534 teachers; certification requirements (Carter)
HB 2538 U.S. House vacancy; special election (Coleman)
HB 2564 court fees; EORP; state contribution (Livingston)
HB 2589 department of gaming omnibus (Cook)
HB 2596 property taxes; procedures; abatement (Toma)
HB 2648 ballot measures; paid circulator definition (Leach)
HB 2649 public meetings; recordings; posting; definition (Grantham)
HB 2650 commercial license; defensive driving school (Toma)
HB 2651 landlord tenant; security deposits (Toma)
HB 2652 electric bicycles; definition; use (Allen, J.)
HB 2653 expenditure limitation; waiver of penalties (Cobb)
HB 2654 illegal substances education; partnership (Thorpe)
HB 2655 real estate licenses; online classes (Mosley)
HB 2656 electronic wills and trusts (Leach)
HB 2657 interscholastic activities; health dangers; information (Carter)
SB 1039 appropriation; Arizona water protection fund (Griffin)
SB 1140 certificates of authority; video service (Griffin)
SB 1167 merit council; law enforcement qualifications (Griffin)
SB 1181 corporation commission; railway safety inspectors (Griffin)
SB 1245 appropriation; SNAP; benefit match; produce (Brophy McGee)
SB 1254 school district consolidation (Allen, S.)
SB 1271 construction liability; apportionment; study (Fann)
SB 1273 administrative proceedings; rules; contested cases (Petersen)
SB 1293 department of revenue; administrative efficiency (Farnsworth, D.)
SB 1296 government communications; emergency response interpreters (Bowie)
SB 1398 unemployment; return-to-work program; suitable work (Smith)
SB 1409 TPT; prime contracting; alteration; replacement (Fann)
SB 1476 county sheriff; reentry planning; appropriation (Gray)
SB 1478 employer contributions; EORP (Fann)
SB 1496 prisoners; drug sentences; out-of-custody treatment (Smith)
SB 1498 AZPOST; membership; training; AMBER alert (Smith)

SB 1504 developmental disability rates; appropriation (Smith)

Sincerely,

A handwritten signature in black ink, reading "Douglas A. Ducey". The signature is written in a cursive, flowing style with a large initial "D".

Douglas A. Ducey
Governor
State of Arizona

cc: Senate Secretary
Chief Clerk of the House of Representatives
Arizona News Service

Senate Engrossed House Bill

FILED

MICHELE REAGAN

SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-third Legislature
Second Regular Session
2018

CHAPTER 316

HOUSE BILL 2538

AN ACT

AMENDING SECTIONS 16-222 AND 16-223, ARIZONA REVISED STATUTES; RELATING TO
ELECTION DATES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 16-222, Arizona Revised Statutes, is amended to
3 read:

4 16-222. Vacancy in the office of United States senator or
5 representative

6 A. When a vacancy occurs in the office of United States senator or
7 representative in Congress by reason of death or resignation, or from any
8 other cause AND EXCEPT AS PROVIDED IN SUBSECTION D OF THIS SECTION, the
9 vacancy shall be filled at the next general election. At such AN election
10 the person elected shall fill the unexpired term of the vacated office.

11 B. For a vacancy in the office of representative in Congress, if
12 the next general election is not to be held within six months ~~from~~ AFTER
13 the date of the occurrence of the vacancy, the governor shall call a
14 special primary election and a special general election to fill the
15 vacancy. The governor shall call the special primary election and
16 establish its date within seventy-two hours after the office is officially
17 declared vacant. Notwithstanding sections 16-313, 16-351 and 16-542, for
18 a candidate for office at an election held pursuant to this subsection,
19 the following apply:

20 1. The special primary election shall be held ~~no~~ NOT less than
21 ~~eighty~~ ONE HUNDRED TWENTY nor more than ~~ninety~~ ONE HUNDRED THIRTY-THREE
22 days after the occurrence of the vacancy, and the special general election
23 shall be held not less than ~~fifty~~ SEVENTY nor more than ~~sixty~~ EIGHTY days
24 after the special primary election.

25 2. Nomination papers and nomination petitions shall be filed ~~no~~ NOT
26 later than thirty days after the date of the proclamation calling the
27 election.

28 3. Any court action challenging the nomination of a candidate shall
29 be filed ~~no~~ NOT later than 5:00 p.m. on the fifth business day after the
30 last day for filing nomination papers and petitions.

31 4. The superior court shall hear and render a decision within five
32 days after the filing of the action.

33 5. Beginning fifteen days before the date of the election, the
34 county recorder or other officer in charge of elections shall mail early
35 ballots within forty-eight hours after receipt of a complete and correct
36 early ballot request from persons qualified to vote.

37 C. For a vacancy in the office of United States senator, the
38 governor shall appoint a person to fill the vacancy. That appointee shall
39 be of the same political party as the person vacating the office and,
40 EXCEPT AS PROVIDED IN SUBSECTION D OF THIS SECTION, shall serve until the
41 person elected at the next general election is qualified and assumes
42 office. If the person vacating the office changed political party
43 ~~affiliations~~ AFFILIATION after taking office, the person who is appointed
44 to fill the vacancy shall be of the same political party that the vacating
45 officeholder was when the vacating officeholder was elected or appointed
46 to that office.

1 D. IF A VACANCY IN THE OFFICE OF UNITED STATES SENATOR OCCURS MORE
2 THAN ONE HUNDRED FIFTY DAYS BEFORE THE NEXT REGULAR PRIMARY ELECTION DATE,
3 THE PERSON WHO IS APPOINTED PURSUANT TO SUBSECTION C OF THIS SECTION SHALL
4 CONTINUE TO SERVE UNTIL THE VACANCY IS FILLED AT THE NEXT GENERAL
5 ELECTION. IF A VACANCY IN THE OFFICE OF UNITED STATES SENATOR OCCURS ONE
6 HUNDRED FIFTY DAYS OR LESS BEFORE THE NEXT REGULAR PRIMARY ELECTION DATE,
7 THE PERSON WHO IS APPOINTED SHALL SERVE UNTIL THE VACANCY IS FILLED AT THE
8 SECOND REGULAR GENERAL ELECTION HELD AFTER THE VACANCY OCCURS, AND THE
9 PERSON ELECTED SHALL FILL THE REMAINING UNEXPIRED TERM OF THE VACATED
10 OFFICE.

11 ~~D.~~ E. For a vacancy in the office of representative in Congress
12 that occurs simultaneously with at least one hundred additional vacancies
13 in the office of representative in Congress as prescribed by 2 United
14 States Code section 8, a special general election to fill the vacancy in
15 this state shall be held ~~no~~ NOT more than forty-nine days after the
16 declaration of the vacancy unless a regularly scheduled general election
17 or previously scheduled special general election is held within seventy-
18 five days after the declaration of the vacancy.

19 Sec. 2. Section 16-223, Arizona Revised Statutes, is amended to
20 read:

21 16-223. Issuance of proclamation for special election by
22 governor; publication by clerks of boards of
23 supervisors

24 A. Within ten days after a vacancy occurs in the office of
25 representative in Congress, if a special primary and special general
26 election are required by section 16-222, the governor shall issue a
27 proclamation containing a statement of the time of the special primary
28 election and the special general election and the offices to be filled.

29 B. The governor shall transmit a copy of the election proclamation
30 to the officer in charge of elections and the clerk of each board of
31 supervisors of ~~the several counties~~ EACH COUNTY THAT IS REQUIRED TO
32 PARTICIPATE IN THE SPECIAL ELECTION.

33 C. The clerk of the board of supervisors OF EACH COUNTY THAT IS
34 REQUIRED TO PARTICIPATE IN THE SPECIAL ELECTION, WITHIN FIVE DAYS AFTER
35 RECEIVING THE PROCLAMATION PRESCRIBED IN SUBSECTION B OF THIS SECTION,
36 shall publish a copy of the election proclamation in an official newspaper
37 of the county at least five days before the special primary election and
38 at least five days before THE SPECIAL GENERAL ELECTION AND SHALL POST ON A
39 COUNTY-OPERATED WEBSITE A NOTICE STATING THE DATES OF THE SPECIAL PRIMARY
40 ELECTION AND the special general election.

41 Sec. 3. Emergency

42 This act is an emergency measure that is necessary to preserve the
43 public peace, health or safety and is operative immediately as provided by
44 law.

NOT ENACTED

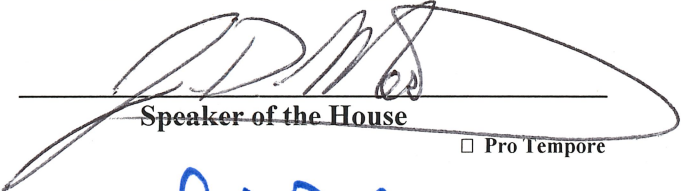
APPROVED BY THE GOVERNOR MAY 16, 2018 -

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 16, 2018

Passed the House February 20, 20 18

by the following vote: 57 Ayes,

2 Nays, 1 Not Voting


Speaker of the House

☐ Pro Tempore

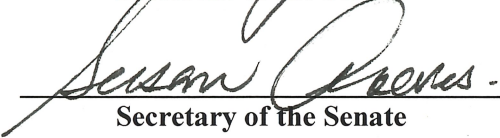

Chief Clerk of the House

Passed the Senate April 23, 20 18

by the following vote: 16 Ayes,

14 Nays, 0 Not Voting


President of the Senate


Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

_____ day of _____, 20 _____

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

at _____ o'clock _____ M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this _____ day of _____, 20 _____

at _____ o'clock _____ M.

Secretary of State

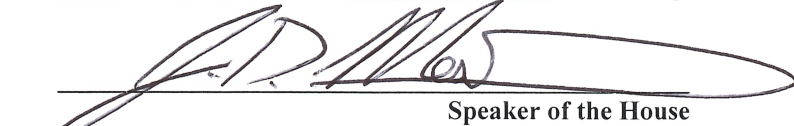
H.B. 2538

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

April 30, 2018,

by the following vote: 42 Ayes,

15 Nays, 3 Not Voting


Speaker of the House

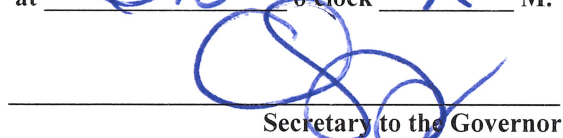
Jim Drake
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

18 day of May, 2018,

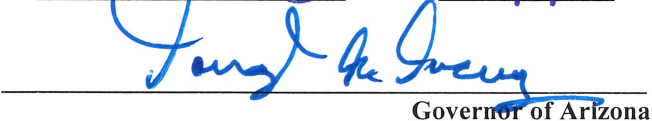
at 8:13 o'clock A M.


Secretary to the Governor

Approved this 16th day of

May, 2018,

at 9:23 o'clock A M.


Governor of Arizona

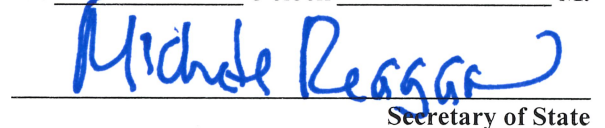
H.B. 2538

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 16 day of May, 2018,

at 4:29 o'clock P. M.


Secretary of State